



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/723,603

11/26/2003

Ayako Kobayashi

245902US2

8682

22850

7590

08/17/2010

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

NGUYEN, ALLEN H

ART UNIT

PAPER NUMBER

2625

NOTIFICATION DATE

DELIVERY MODE

08/17/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary	Application No. 10/723,603	Applicant(s) KOBAYASHI, AYAKO	
	Examiner Allen H. Nguyen	Art Unit 2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,4,6,7,9,10 and 12-69 is/are pending in the application.
- 4a) Of the above claim(s) 25-68 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,6,7,9,10,12-24 and 69 is/are rejected.
- 7) ☒ Claim(s) 4, 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

- This office action is responsive to the following communication:
Amendment filed on 11/04/2008.
- Claims 1, 3-4, 6-7, 9-10, 12-69 are currently pending in the application.

Response to Arguments

1. Applicant's arguments filed 06/03/2010 have been fully considered but they are not persuasive.

2. With respect to Applicant's argument that "Isshiki fails to teach or suggest that "an examining unit configured to examine said hardware resource and determine whether said hardware resource exists, and output, in response to a positive determination, a normal value and output, in response to a negative determination, an abnormal value as the result of the examination," as in Applicant's independent Claim 1.

In response, Isshiki '384 discloses an image forming apparatus (Fig. 1), comprising: an examining unit (CPU 1 /Controller 10, fig. 2) configured to examine said hardware resource (i.e., The CPU 1 controls access to various devices /hardware connected to a system bus 5 on the basis of a control program stored in the program ROM 2A or a control program which is stored in a hard disk (HD) 3 and loaded onto a RAM 4 in activation; Page 3, paragraph 45, fig. 2) and determine whether said hardware resource exists (i.e., the task activates a hardware check program to check whether hardware is abnormal; Page 3, paragraph 68), and output, in response to a positive

Art Unit: 2625

determination, a normal value and output (i.e., hardware exists, the task initializes various devices; Page 4, paragraph 70), in response to a negative determination, an abnormal value as the result of the examination (i.e., the task shifts to step S504 to display abnormal hardware, and ends a series of processes; Page 3, paragraph 69).

3. With respect to Applicant's argument that "paragraph [0045] of Isshiki merely describes that the CPU 1 controls access to various devices on a system bus 5. However, nothing in the above cited portion of Isshiki describes that the CPU 1 examines whether particular hardware resources exist. Because the CPU 1 in Isshiki does not determine whether hardware resources exist, Isshiki also does not describe outputting values based upon this determination. In other words, Isshiki does not describe that the CPU 1 determines if the various devices exist, and thus it does not describe that the CPU outputs, in response to a positive determination, a normal value and outputs, in response to a negative determination, an abnormal value as a result of the examination".

In response, in Dictionary, a **resource** is any physical or virtual entity of limited availability that needs to be consumed to obtain a benefit from it. Therefore, Isshiki's CPU 1 controls access to various devices connected to a system on the basis of a control program stored in the program ROM 2A or a control program which is stored in a hard disk (HD) 3 and loaded onto a RAM 4 in activation so that the task of CPU 1 can activate a hardware check program to check whether hardware existing such as **memory overflow** (paragraph 108). If not overflow, the hardware resource exist to be

Art Unit: 2625

used and vice versa. This definition is compatible with the applicant's usage that the hardware resource exists.

4. With respect to Applicant's arguments, see top of page 5, filed 06/03/2010, regarding claim 9 have been fully considered and are persuasive. The rejection of claims 4, 9 has been withdrawn.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 1, 23-24 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claims contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention.

Regarding claim 1: The limitation of "an examining unit configured to examine said hardware resource and determine whether said hardware resource exists, and output, **in response to a positive determination, a normal value and output, in response to a negative determination, an abnormal value** as the result of the examination" is limitation not described in the specification in such a way as to reasonably convey to one

Art Unit: 2625

skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention.

According to fig. 34, an examining unit configured to examine said hardware resource and determine whether said hardware resource exists, and output, in response to a positive determination, an abnormal value, in response to a negative determination, a normal value and output as the result of the examination.

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. Claim 24 is rejected under 35 U.S.C. 101 as not falling within one of the four statutory categories of invention. Supreme Court precedent and recent Federal Circuit decisions indicate that a statutory "process" under 35 U.S.C. 101 must (1) be tied to another statutory category (such as a particular apparatus), or (2) transform underlying subject matter (such as an article or material) to a different state or thing. While the instant claim recites a series of steps or acts to be performed, the claim neither transforms underlying subject matter nor is positively tied to another statutory category that accomplishes the claimed method steps, and therefore does not qualify as a statutory process. A claim drawn to such a computer readable medium that covers both transitory and non-transitory embodiments may be amended to narrow the claim to cover only statutory embodiments to avoid a rejection under 35 U.S.C. 101 by adding the limitation "non-transitory" to the claim.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1, 3-4, 6-8, 10, 12-24, 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Isshiki (US 2002/0118384) in view of Kaneko et al. (US 5,752,040).

Regarding claim 1, Isshiki '384 discloses an image forming apparatus (Fig. 1), comprising:

a hardware resource (3, 7, 10, fig. 2);

a program (HD initialization task, print job file processing task, applications; see page 4, paragraphs [0071]-[0072]);

an examining unit (CPU 1 /Controller 10, fig. 2) configured to examine said hardware resource (i.e., The CPU 1 controls access to various devices /hardware connected to a system bus 5 on the basis of a control program stored in the program ROM 2A or a control program which is stored in a hard disk (HD) 3 and loaded onto a RAM 4 in activation; Page 3, paragraph [0045], fig. 2) and determine whether said hardware resource exists (i.e., the task activates a hardware check program to check whether hardware is abnormal; Page 3, paragraph [0068]), and output, in response to a positive determination, a normal value and output (i.e., hardware exists, the task

Art Unit: 2625

initializes various devices; Page 4, paragraph [0070]), in response to a negative determination, an abnormal value as the result of the examination (i.e., the task shifts to step S504 to display abnormal hardware, and ends a series of processes; Page 3, paragraph [0069]);

a configuration unit (operation system OS task /Operation Unit 1012, fig. 2) configured to store identification information of the program and identification information of the examining unit (i.e., NVRAM 11 stores mode setting information from the operation unit 1012, and flags referred to by boot processing in resetting or reactivation; see page 4, paragraphs [51], [70]-[72], fig. 5);

an activating unit (the boot processing task, page 3, paragraph [0068]) configured to activate the examining unit prior to the execution of the program, and in response to the positive determination activate said program (i.e., the task initializes various devices on the main body 1000 and the task executes various initialization operations of a basic OS which will run on the CPU 1, and activates the basic OS program; Page 4, paragraph [0070] - [0072], fig. 5);

a storage unit configured to store the result of the examination of said examining unit (i.e., a storage medium (recording medium) which stores software program codes for realizing the functions is supplied to a system or apparatus; see page 6, paragraphs [0092], [0137], fig. 7),

Isshiki '384 does not explicitly show wherein said examining unit determines whether the result of the examination that said examining unit is to perform is stored in

Art Unit: 2625

said storage unit, and uses, if the result of the examination that said examining unit is to perform is stored in said storage unit, the stored result of the examination.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Kaneko '040. In particular, Kaneko '040 teaches wherein said examining unit (CPU 801, fig. 1) determines whether the result of the examination that said examining unit is to perform is stored in said storage unit (the CPU 801 controls the start and execution of the transmission on the basis of the result of the detection/examination and on the basis of the data or predetermined program transmitted and stored in the RAM; see col. 3, lines 15-30), and uses, if the result of the examination that said examining unit is to perform is stored in said storage unit (a check is made to see if the program and data of the copy device / hardware resource have been transmitted from the communicating apparatus; see col. 8, lines 54-60, fig. 8), the stored result of the examination (i.e., a transmission flag which is set into a flag storage area that is held in, such as the RAM 802 is reset; see col. 7, lines 35-50 and col. 8, lines 55-65, figs. 5, 8).

In view of the above, having the system of Isshiki and then given the well-established teaching of Kaneko, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Isshiki as taught by Kaneko to include: wherein said examining unit determines whether the result of the examination that said examining unit is to perform is stored in said storage unit, and uses, if the result of the examination that said examining unit is to perform is stored in

Art Unit: 2625

said storage unit, the stored result of the examination. Doing this so that the operation can be performed and the reliability of the device is remarkably improved.

Regarding claim 3, Isshiki '384 discloses the image forming apparatus (Fig. 1), wherein said configuration unit configures a one-to-"n" (n: an integer more than 1) relation between said examining unit (CPU 1, fig. 2) and a plurality of said programs (i.e., the task causes the basic OS activated in step S507 to generate and activate application tasks; see page 4, paragraphs [0070]-[0072], fig. 5).

Regarding claim 4, Isshiki '384 discloses the image forming apparatus (Fig. 1), wherein said configuration unit (operation system OS task, page 4, paragraphs [0070]-[0072]) configures an "n"-to-one (n: an integer more than 1) relation between a plurality of said examining units (CPU 1 /Controller 10, fig. 2) and said program (i.e., the task executes various initialization operations of a basic OS which will run on the CPU 1, and activates the basic OS program; see page 4, paragraph [0070], fig. 5).

Regarding claim 6, Isshiki '384 discloses the image forming apparatus (Fig. 1), wherein said activating unit (the boot processing task, page 3, paragraph [0068]) activates said examining unit in compliance with a relation configured in said configuration unit (i.e., the task causes the basic OS activated in step S507 to generate and activate application tasks such as the above-described network monitoring task and

Art Unit: 2625

print job file processing task which run on the LBP main body 1000; see page 4, paragraph [0072], figs. 2, 5).

Regarding claim 7, Isshiki '384 discloses the image forming apparatus (Fig. 1), wherein said activating unit, after activating said program, terminates said examining unit (i.e., after the processing shifts to the applications, the task advances to step S505 to end a series of processes; see page 4, paragraph [0072], fig. 5).

Regarding claim 10, Isshiki '384 discloses the image forming apparatus (Fig. 1), wherein,

in response to receipt of the normal value output by said examining unit (CPU 1 /Controller 10, fig. 2) in the determination as to whether said hardware resource exists that operates partially or entirely as one of a printer, a copier, a facsimile machine, and a scanner, said activating unit activates said program corresponding to the one of the printer (i.e., the task causes the basic OS activated in step S507 to generate and activate application tasks such as the network monitoring task and print job file processing task which run on the Laser beam printer LBP main body 1000; see page 4, paragraph [0072], figs. 2, 5), the copier, the facsimile machine, and the scanner.

Regarding claim 12, Isshiki '384 discloses the image forming apparatus (Fig. 1), wherein

in response to receipt of the normal value output by said examining unit (CPU 1

Art Unit: 2625

/Controller 10, page 4, paragraph [0070], fig. 2) in the determination as to whether a hard disk drive exists (i.e., the task advances to step S603 to delete all the print job files on the /SPOOL directory 302; see page 4, paragraph [0077], figs. 3, 6), said activating unit (the boot processing task, page 3, paragraph [0068]) configures a RAM disk in compliance with a relation configured in said configuration unit (i.e., a control program which is stored in a hard disk (HD) 3 and loaded onto a RAM 4 in activation; see page 3, paragraphs [0045], [0058], figs. 2-3).

Regarding claim 13, Isshiki '384 discloses the image forming apparatus (Fig. 1), wherein said examining unit (CPU 1 /Controller 10, page 4, paragraph [0070], fig. 2) determines whether said hardware resource satisfies a predetermined performance requirement (i.e., if "current time"- "previous boot time" is smaller than preset T1 in step S1002; see page 6, paragraph [0130], fig. 11), and outputs, in response to a positive determination, a normal value and outputs (i.e., the task advances to step S602 to execute the above-described processes in steps S602 and S603, such as check the presence of a print job file on a /SPOOL directory 302; see page 6, paragraph [0130], fig. 11), in response to a negative determination, an abnormal value as the result of the determination (i.e., if "current time"- "previous boot time" is equal to or larger than T1 in step S1002, the task advances to step S1003 without any processing; see page 6, paragraph [0131], fig. 11).

Regarding claim 14, Isshiki '384 discloses the image forming apparatus (Fig. 1), wherein

in response to receipt of the normal value output by said examining unit (CPU 1, page 4, paragraph [0070], fig. 2) in the determination as to whether a central processing unit satisfies a predetermined performance requirement (i.e., if "current time"- "previous boot time" is smaller than preset T1 in step S1002; see page 6, paragraph [0130], fig. 11), said activating unit (the boot processing task, page 3, paragraph [0068]) activates said program having the relation with said examining unit (i.e., the task advances to step S602 to execute the above-described processes in steps S602 and S603, such as check the presence of a print job file on a /SPOOL directory 302; see page 6, paragraph [0130], fig. 11),

in response to receipt of the abnormal value output by said examining unit, said activating unit does not activate said program having the relation with said examining unit (i.e., if "current time"- "previous boot time" is equal to or larger than T1 in step S1002, the task advances to step S1003 without any processing; see page 6, paragraph [0131], fig. 11).

Regarding claim 15, Isshiki '384 discloses the image forming apparatus (Fig. 1), wherein said activating unit (the boot processing task, page 3, paragraph [0068]), in response to receipt of the normal value from said examining unit (CPU 1, page 4, paragraph [0070], fig. 2) as the result of a memory check (i.e., a print job file left in a hard disk is checked in boot processing; see Abstract), activates said program related to

Art Unit: 2625

said examining unit in said configuration unit (i.e., the task causes the basic OS activated in step S507 to generate and activate an HD spool initialization task; see page 4, paragraph [0071], fig. 5), and in response to receipt of the abnormal value from said examining unit as the result of the memory check, does not activate said program (i.e., if hardware is abnormal in step S503 (YES), the task shifts to step S504 to display abnormal hardware, and ends a series of processes; see page 3, paragraph [0069], fig. 5).

Regarding claim 16, Isshiki '384 discloses the image forming apparatus (Fig. 1), wherein

said configuration unit (operation system OS task, page 4, paragraphs [0070]-[0072]) configures a relation between said examining unit (CPU 1, page 4, paragraph [0070], fig. 2) and one of a directory in which said program is located and an upper directory thereof (i.e., reference numeral 301 denotes a /(root directory); and 302 and 303, a SPOOL directory and IMAGE directory immediately below the root directory; see page 3, paragraphs [0057]-[0058], fig. 3);

said activating unit (the boot processing task, page 3, paragraph [0068]), in response to receipt of the normal value as a result of the determination (i.e., the print job file processing task monitors the /SPOOL directory 302 of the HD 3, and waits until an HD-spoiled print job file is detected / installed; see page 3, paragraph [0062], fig. 4), installs the directory or the upper directory related to said examining unit (i.e., if an HD-spoiled print job file is detected /installed, the task shifts to step S403; see page 3,

Art Unit: 2625

paragraph [0062], fig. 4), and in response to receipt of the abnormal value as the result of the determination, installs neither the directory nor the upper directory (i.e., The task returns to step S402 again and waits until a print job file is detected /installed; see fig. 4).

Regarding claim 17, Isshiki '384 discloses the image forming apparatus (Fig. 1), wherein

said examining unit (CPU 1, page 4, paragraph [0070], fig. 2) determines whether a predetermined identifier of said hardware resource satisfies a predetermined condition (i.e., if "current time"-"previous boot time" is smaller than preset T1 in step S1002; see page 6, paragraph [0130], fig. 11), outputs a normal value in response to a positive determination (i.e., the task advances to step S602 to execute the above-described processes in steps S602 and S603, such as check the presence of a print job file on a /SPOOL directory 302; see page 6, paragraph [0130], fig. 11), and outputs an abnormal value in response to a negative determination (i.e., if "current time"-"previous boot time" is equal to or larger than T1 in step S1002, the task advances to step S1003 without any processing; see page 6, paragraph [0131], fig. 11).

Regarding claim 19, Isshiki '384 discloses the image forming apparatus (Fig. 1), wherein

said activating unit (the boot processing task, page 3, paragraph [0068]) executes said program configured in said configuration unit (operation system OS task,

Art Unit: 2625

page 4, paragraphs [0070]-[0072], fig. 5) as related to said examining unit (CPU 1, fig. 2) in response to receipt of the normal value from said examining unit as the result of the determination (i.e., the task executes various initialization operations of a basic OS which will run on the CPU 1, and activates the basic OS; see page 4, paragraphs [0070]-[0072], fig. 5), and does not execute said program configured in said configuration unit as related to said examining unit in response to receipt of the abnormal value from said examining unit as the result of the determination (i.e., if hardware is abnormal in step S503 (YES), the task shifts to step S504 to display abnormal hardware, and ends a series of processes; see page 3, paragraph [0069], fig. 5).

Regarding claim 20, Isshiki '384 discloses the image forming apparatus (Fig. 1), wherein

said storage unit (3, 4, 11, fig. 2) is a memory region that said examining unit (CPU 1 /Controller 10, fig. 2) can directly access (Fig. 2).

Regarding claim 21, Isshiki '384 discloses the image forming apparatus (Fig. 1), wherein said activating unit (the boot processing task, page 3, paragraph [0068]) is activated by an operating system that is activated after the power of the image forming apparatus is turned on (i.e., in boot processing executed upon power-on or resetting of the laser beam printer; see page 3, paragraphs [0066]-[0067], fig. 5).

Regarding claim 22, Isshiki '384 discloses the image forming apparatus (Fig. 1), wherein said program (basic OS program, HD initialization task program, print job file processing task program, paragraphs [0070]-[0072], figs. 5-11) further comprises:

an application program used for image forming (i.e., the task causes the basic OS activated in step S507 to generate and activate application tasks such as the above-described network monitoring task and print job file processing task which run on the LBP main body 1000; see page 4, paragraph [0072], fig. 2);

a control service program that manages said hardware resource used for the image forming (i.e., the task initializes various devices on the LBP main body 1000 and advances to step S507. In step S507, the task executes various initialization operations of a basic OS which will run on the CPU 1, and activates the basic OS; see page 4, paragraph [0070], fig. 2);

an operating system (i.e., the task executes various initialization operations of a basic OS which will run on the CPU 1, and activates the basic OS; see page 4, paragraph [0070], fig. 2).

Regarding claim 23, claim 23 is the method claim of device claim 1. Therefore, method claim 23 is rejected for the reason given in device claim 1.

Regarding claim 24, Isshiki '384 discloses a computer-readable storage medium storing a program that causes a computer having a hardware resource and a program (3, 4, 11, page 1, paragraph [0013], fig. 2) to function as:

an examining unit (CPU 1 /Controller 10, fig. 2) that examines said hardware resource (i.e., The CPU 1 controls access to various devices /hardware connected to a system bus 5 on the basis of a control program stored in the program ROM 2A or a control program which is stored in a hard disk (HD) 3 and loaded onto a RAM 4 in activation; Page 3, paragraph [0045], fig. 2) and determines whether said hardware resource exists (i.e., the task activates a hardware check program to check whether hardware is abnormal; Page 3, paragraph [0068]), and output, in response to a positive determination, a normal value and output (i.e., hardware exists, the task initializes various devices; Page 4, paragraph [0070]), in response to a negative determination, an abnormal value as the result of the examination (i.e., the task shifts to step S504 to display abnormal hardware, and ends a series of processes; Page 3, paragraph [0069]);

a configuration unit (operation system OS task, page 4, paragraphs [0070]-[0072]) in which a relation between said examining unit and said program is configured (i.e., the task executes various initialization operations of a basic OS which will run on the CPU 1, and activates the basic OS program; see page 4, paragraph [0070], fig. 5);

an activating unit (the boot processing task, page 3, paragraph [0068]) that activates said program having the relation with said examining unit based on the examination (i.e., the task initializes various devices on the main body 1000 and the task executes various initialization operations of a basic OS which will run on the CPU 1, and activates the basic OS program; Page 4, paragraph [0070] - [0072], fig. 5);

a storage unit configured to store the result of the examination (i.e., a storage medium (recording medium) which stores software program codes for realizing the

Art Unit: 2625

functions is supplied to a system or apparatus; see page 6, paragraphs [0092], [0137], fig. 7).

Isshiki '384 does not explicitly show wherein said examining unit determines whether the result of the examination that said examining unit is to perform is stored in said storage unit, and uses, if the result of the examination that said examining unit is to perform is stored in said storage unit, the stored result of the examination.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Kaneko '040. In particular, Kaneko '040 teaches wherein said examining unit (CPU 801, fig. 1) determines whether the result of the examination that said examining unit is to perform is stored in said storage unit (the CPU 801 controls the start and execution of the transmission on the basis of the result of the detection/examination and on the basis of the data or predetermined program transmitted and stored in the RAM; see col. 3, lines 15-30), and uses, if the result of the examination that said examining unit is to perform is stored in said storage unit (a check is made to see if the program and data of the copy device / hardware resource have been transmitted from the communicating apparatus; see col. 8, lines 54-60, fig. 8), the stored result of the examination (i.e., a transmission flag which is set into a flag storage area that is held in, such as the RAM 802 is reset; see col. 7, lines 35-50 and col. 8, lines 55-65, figs. 5, 8).

In view of the above, having the system of Isshiki and then given the well-established teaching of Kaneko, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Isshiki as taught

Art Unit: 2625

by Kaneko to include: wherein said examining unit determines whether the result of the examination that said examining unit is to perform is stored in said storage unit, and uses, if the result of the examination that said examining unit is to perform is stored in said storage unit, the stored result of the examination. Doing this so that the operation can be performed and the reliability of the device is remarkably improved.

Regarding claim 18, Isshiki '384 does not explicitly show the image forming apparatus, wherein said examining unit determines whether an identifier stored in an SD card matches an identifier of a slot to which the SD card is inserted, outputs a normal value in response to a positive determination, and outputs an abnormal value in response to a negative determination.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Kaneko '040. In particular, Kaneko '040 teaches the image forming apparatus (Fig. 2), wherein said examining unit (CPU 801, fig. 1) determines whether an identifier (i.e., the CPU 801 determines that the version of the program stored at present is the special version; see col. 8, lines 33-35, fig. 1) stored in an SD card matches an identifier of a slot to which the SD card is inserted (i.e., the IC card as an external storage device 807 has been inserted into the card inserting portion of the copy device; col. 8, lines 15-17), outputs a normal value in response to a positive determination (i.e., The program and data of the copy device are read out from the IC card as an external storage device 807 and are stored into the data storage area in the RAM 802 through

Art Unit: 2625

the interface 805; see col. 8, lines 40-45), and outputs an abnormal value in response to a negative determination (i.e., the updating of the program is inhibited; col. 8, line 39).

In view of the above, having the system of Isshiki and then given the well-established teaching of Kaneko, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to modify the system of Isshiki as taught by Kaneko to include: the image forming apparatus, wherein said examining unit determines whether an identifier stored in an SD card matches an identifier of a slot to which the SD card is inserted, outputs a normal value in response to a positive determination, and outputs an abnormal value in response to a negative determination, since Kaneko stated in col. 1, lines 10-20 that such a modification would ensure a copy device which can execute the copying operation on the basis of data that is supplied from an external device through an external interface.

Regarding claim 69, Kaneko '040 discloses the image forming apparatus (Figs. 1-2), wherein said identifier (i.e., the program and data are read out from the IC card as an external storage device 807 and the read-out program and data are stored into a data storage area in the RAM 802 through the interface 805; see col. 7, lines 20-25) is a number associated with said slot (col. 7, lines 5-65 and col. 8, lines 5-65; it should be noted that an identifier is a number associated with a slot when an external device is inserted into the slot).

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Allen H. Nguyen whose telephone number is (571)270-1229. The examiner can normally be reached on 9:00 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KING Y. POON can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/
Supervisory Patent Examiner, Art Unit 2625

/Allen H. Nguyen/
Examiner, Art Unit 2625